



# U.S. DEPARTMENT of STATE

## Qatar

### Country Reports on Human Rights Practices - [2004](#)

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Qatar is a monarchy governed by the ruling Al-Thani family through Emir Sheikh Hamad bin Khalifa Al-Thani, who seized power from his father in 1995. The Emir exercises full executive power based on the influence of religious law, consultation with citizens, and rule by consensus. The Emir generally legislates after consultation with leading citizens, an arrangement institutionalized in the appointed 35-member Advisory Council that assists the Emir in formulating policy. A draft of a new Constitution, approved in April 2003 by approximately 96 percent of voters, was ratified by the Emir on June 6 and will come into force in June 2005, during which constitutional institutions, laws, and regulations will be brought into conformity with it. The new Constitution provides for continued hereditary rule by the Emir's branch of the Al-Thani family. In April 2003, citizens elected all 29 members of the Central Municipal Council, which advises the Government on domestic issues but does not have the authority to change policy. The elections were generally regarded as free and fair, although only 30 percent of eligible voters participated. The Constitution provides for an independent judiciary; however, the Emir appoints all judges based on the recommendations of the Supreme Judiciary Council.

The civilian security force, controlled by the Ministry of Interior, consists of the police and the General Administration of Public Security. The civilian intelligence service, Qatari State Security, reports directly to the Emir and performs internal security investigations, gathers intelligence, and has primary responsibility for sedition and espionage cases. The civilian authorities maintained effective control of the security forces. There were no reports that security forces committed human rights abuses.

The country's economy is based on gas and oil exports. The population is approximately 744,000, of whom approximately 200,000 are citizens. The Government owns most basic industries and services, but the retail and construction industries are privately owned. Foreign workers, mostly South Asian and Arab, represent approximately 85 percent of the workforce. Many government jobs are offered generally to citizens, and private sector businesses are encouraged to recruit citizens as well. The rate of economic growth was 20.5 percent, an estimated 35 percent increase from the previous year. GDP per capita was USD 37,000. Although there was not sufficient economic data available, local economists and bank officials claimed that wages did not keep pace with inflation nor with rapidly rising housing rents. Inflation did not appear to impact basic foodstuffs but consumer commodities like automobiles, furniture and basic amenities increased moderately. In 2003, the Government started a major initiative to combat corruption in government procurement. Corruption has had limited impact on the country's economic growth and development. However, government agencies and state-owned entities were increasingly sensitive to appearances of corruption and worked to establish more open and transparent processes.

Although there were some improvements in a few areas, serious problems remained. Citizens did not have the right to peacefully change their government. The Government continued to restrict the freedoms of speech and press. The Government placed some limits on the freedom of movement of women. In practice, tradition and custom limited women's rights. Some domestic servants, who are not covered under the new labor law, were mistreated and abused and worked under conditions that were tantamount to indentured servitude. Noncitizens, who make up more than 75 percent of local residents, sometimes faced discrimination in the workplace. Foreign laborers were disadvantaged in cases involving the performance of labor contracts. They did not receive the same allowance and salaries that were given to citizens in equivalent positions. Further, they were not allowed to leave the country or change employment without the permission of their current sponsor. Unskilled foreign workers continued to suffer from the lack of a minimum wage in the private sector. The country was also a destination for trafficked persons.

Unlike the 1972 Amended Provisional Constitution, the new Constitution contains a number of human rights provisions. Most of these provisions will depend, for their practical effect, on existing or future laws. The process of law-making to conform the legal environment to the new Constitution continued at varying pace in different sectors during the year. The Government advanced the right of assembly in November with the enactment of Law No. 18, which allows individuals to organize demonstrations and public assemblies. However, the law stipulates that organizers must acquire a permit, for which there are a number of restrictions and conditions, and imposes restrictions on the topics of discussion. In May, the Government enacted Law No. 12, which regulates the right to form private societies and institutions. Law No. 12 also allows individuals, for the first time, to establish professional societies for the purpose of elevating the level of the profession. While Law No. 12 endorses the participation of citizens and non-citizens alike, it imposes conditions and restrictions on non-citizens who want to practice this right. During the last 6 months of the year, progress was made in establishing the conditions for implementation of the new labor law, to be enacted in January 2005. Although this new labor law expands and protects workers' rights in some areas, in others

the new law is restrictive. The law prohibits non-citizen workers from forming labor unions or associations, and restricts the rights to bargain collectively and strike. Also, in March, the Government enacted Law No. 2, which guarantees the rights of persons with disabilities and ensured their entitlement to government services to include among others: Education, healthcare and employment.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1 Respect for the Integrity of the Person, Including Freedom From:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits torture, and there were no reports that government officials employed torture. However, the Government administered most corporal punishment prescribed by its interpretation of Islamic law but did not allow amputation. Punishments were not administered publicly.

The Government permitted the independent monitoring of prison conditions. In July, Amnesty International (AI) conducted one visit. According to the National Human Rights Committee (NHRC), a government-funded human rights non-government organization which conducted three visits to the men and women prisons during the year, prison conditions generally met international standards. In August, diplomatic officials also conducted a visit to the men and women deportation center in August and found conditions there met international standards.

Women were held separately from men, and juveniles were held separately from adults. Pretrial detainees were held separately from convicted prisoners. Security prisoners were also held separately in special prisons.

#### **d. Arbitrary Arrest or Detention**

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions in practice; however, in some cases these rights were restricted by Law No. 17 of 2002, which was used to "protect society."

Suspects are charged within 48 hours and must appear before a judge within 4 days of their arrest. The judge may order the suspect released, remanded to custody to await trial, held in pretrial detention pending investigation, or released on bail. Judges may also extend pretrial detention for 1 week at a time to allow the authorities to conduct investigations. The accused is entitled to legal representation throughout the process. There were no provisions for state funded legal counsel for indigents. Suspects who were detained in security cases generally were afforded access to counsel; however, they may be detained indefinitely while under investigation.

Law No. 17 is aimed specifically at the "protection of society" and provides official exemption from the prohibition of arbitrary arrest and detention and the code of criminal procedure. The law empowers the Minister of Interior to detain a defendant on crimes related to national security, honor, or impudence upon the recommendation of the Director General of Public Security. Under this statute, the detention period can range from 2 weeks to 6 months. Moreover, that period can be extended up to 2 years at the discretion of Ministry of Interior officials. The prime minister adjudicates complaints against these detentions. According to human rights officials, there were eight cases of individuals arrested under this law during the year. Five of the individuals were released after follow-up from the NHRC organization that promotes the observance and protection of human rights and basic freedoms. Three remained in detention for 6 months and were then transferred to the courts. They were convicted and, at years end, were waiting the appeal of their cases. In addition, since June, nine men were held in detention at the central jail due to their nationality being revoked. There were no cases of incommunicado detention.

The Ministry of the Interior controls the police forces, which include the Coast Guard and Border Police, Fire Department, and Immigration Authorities. They generally were effective, and corruption and abuse of power were minimal. The Ministry of the Interior has an Office of Human Rights in its Legal Department to deal primarily with labor and issues involving trafficked persons.

#### **e. Denial of Fair Public Trial**

Although the Constitution provides for an independent judiciary, approximately half of the judges were foreign nationals holding residence permits granted by the civil authorities. All judges held their positions at the discretion of the Government. The Emir appoints all judges based on the recommendation of the Supreme Judiciary Council.

The Adlea (Civil Law) courts and Shari'a (Islamic law) courts have been united under the Supreme Judiciary Council. Since 2002, with the enactment of Law No. 10, general prosecutors have been independent from the authority of the Ministry of Interior.

Before the merging of the Adlea and Shari'a courts in October, the Adlea courts had jurisdiction in commercial, national security, trafficking, and criminal matters. The Shari'a courts had jurisdiction in family, inheritance, deportation, wrongful injury, and most other civil cases. The law provides for the establishment of occasional state security courts, although there have been no cases before these courts since the Emir assumed power. Defendants tried by all courts have the right to appeal. In October, the High Court of Cassation was established as the highest appellate court in the country.

The Shari'a courts applied most principles contained in the draft Family Status Law, which covers marriage, inheritance, and juvenile matters. Shari'a trials usually were brief. Shari'a family law trials often were held without counsel; however, an increasing number of litigants, especially women, had legal representation. As of October, there were no separate Shari'a trials with the merging of the Adlea and Shari'a Courts.

Criminal cases normally were tried within 2 to 3 months after suspects were detained. Suspects are entitled to bail, except in cases of violent crime. Foreigners charged with minor crimes can be released to a citizen sponsor, although they are prohibited from departing the country until the case is resolved. Defendants in the civil courts have the right to legal representation.

Both Muslim and non-Muslim litigants may request the Shari'a courts to assume jurisdiction in family, commercial, and civil cases. Court trials are public, but the presiding judge can close the courtroom to the public if the case is deemed sensitive. Lawyers prepare litigants and speak for them during the hearing. Non-Arabic speakers are provided with interpreters. Defendants are entitled to legal representation throughout the trial and pretrial process. Shi'a and Sunni judges apply their own interpretations in cases involving issues of family status and inheritance. There is an adequate number of both Shi'a and Sunni judges to accommodate their population and their population respects their decisions.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these prohibitions in practice. Traditional attitudes of respect for the sanctity of the home and the privacy of women provided protection against arbitrary intrusion for both citizens and noncitizens. Judicial authorities must grant warrants before police may search a residence or business, except in cases involving national security or emergencies. There were no reports of unauthorized searches of homes during the year. The police and security forces were believed to monitor the telephone calls of suspected criminals, of those considered to be security risks, and of selected foreigners.

Citizens must obtain government permission to marry foreigners and to apply for residence permits or citizenship for their spouses. Such permission generally was granted for male citizens. In practice, female citizens were not able to provide citizenship for their husbands.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government imposed some restrictions on these rights in practice. Journalists continued to practice self-censorship due to social and political pressures when reporting on government policies, the ruling family, and relations with neighboring states.

Citizens expressed many of their views freely and in public, although they avoided discussing sensitive political and religious issues. The larger noncitizen population did not express itself as freely or as publicly. Toward the end of the year the Government initiated a series of public debates, called the "Doha Debates" addressing political issues of the day, such as separation of mosque and state and regional democratic reform. The Government did not prosecute anyone for the expression of views considered offensive.

Newspapers are not state-owned; however, the owners or board members generally are either high-level government officials or have ties to government officials. Copies of foreign newspapers and magazines were censored for explicit sexual content.

The Censorship Office in the Qatar Radio and Television Corporation reviewed materials for pornography and material deemed hostile to Islam, reports on government policies, and the ruling family. There were no reports of political censorship of foreign print or broadcast news media or foreign programs.

Customs officials screened and censored imported print and electronic media for items on government policies and the ruling family, but officials no longer blocked the personal importation of non-Islamic religious items (see Section 2.c.). The law provides for criminal penalties and jail sentences for libel. All cases involving the media fall under the jurisdiction of the criminal courts.

State-owned television and radio reflected government views, but the satellite television network, Al-Jazeera Satellite Channel (JSC), provided an internationally oriented perspective that JSC and the Government both claimed to be free of government influence. JSC was government subsidized but independent. JSC programs generally did not cover local news. Callers to a popular morning show on the state-owned radio frequently discussed topics such as government inefficiency and the lack of responsiveness by various ministries to citizens' needs, such as poor schools, failure to deliver adequate water and sewage services, and problems with the health care system.

The Government censored the Internet for religious reasons and pornographic content through a proxy server, which blocked websites containing certain key words and phrases. A user who believed that a site was censored mistakenly could submit the Web address to have the site reviewed for suitability.

The Constitution provides for freedom of opinion and scientific research; however, there was no tradition of academic freedom, and instructors at the University of Qatar exercised self-censorship.

#### b. Freedom of Peaceful Assembly and Association

Law No. 18, enacted in November, provides for and regulates freedom of assembly; however, a permit is required for such public gatherings. A number of restrictions and conditions must be met in order to acquire a permit, one of which is the permission of the Public Security director general, whose decision is immune from appeal. The Government generally did not allow political demonstrations.

A new statute, Law No. 12, regulates the right to form private societies and professional associations, and the Government severely limited this right in practice. The law allows for the participation of non-citizens in private societies only in cases where their participation is deemed necessary to the work of the society. Law No. 12 also imposes strict conditions for the establishment, management, and function of these societies and associations. Among others, they are prohibited from engaging in political matters and must get approval from the Ministry of Civil Service Affairs and Housing, which can deny their establishment if deemed a threat to the public interest. Also, in the cases of professional societies, they must pay approximately \$14,000 in licensing fees and their permits are valid for only a 3-year period, after which time they must renew their license and pay the same fees. The Government did not allow political parties or international professional organizations critical of the Government or of any other Arab government. Security forces monitored the activities of such groups.

#### c. Freedom of Religion

The Constitution provides for freedom of worship, in accordance with the law and the requirements of protecting the public system and public behavior; however, the Government continued to prohibit proselytizing of Muslims by non-Muslims and placed some restrictions on public worship.

The state religion is Islam, as interpreted by the conservative Wahhabi order of Sunni Islam. Both Sunni and Shi'a Muslims practiced Islam freely. Shi'a Muslims did not organize traditional Shi'a ceremonies or perform rites such as self-flagellation in public, but did so in their own mosques. Shi'a Muslims were permitted to build and decorate Shi'a mosques without restrictions.

The Government and the ruling family are linked inextricably to Islamic institutions and practices. The Ministry of Islamic Affairs administers the construction of mosques, clerical affairs, and Islamic education for adults and new converts. The Ministry of Education administers Islamic Education in the public schools. The Emir participated in public prayers during both Eid holiday periods, and personally financed the Hajj journeys of poor pilgrims.

Shi'a Muslims were well represented in the bureaucracy and business community, but there were no Shi'a employed in senior national security positions.

The Government has given legal status to Catholic, Anglican, Orthodox, Coptic, and many Asian Christian denominations; other Christian congregations may request recognition. However, the Government does not allow the building of any new places of worship without permission. It has provided congregations with registration numbers that allow them to open bank accounts and sponsor clergy for visas. The Emir designated land in Doha for the construction of Christian churches; however, Christian religious leaders had not applied to the Municipal Council for building permits by year's end.

Non-Muslims may not proselytize; however, the Government no longer places restrictions on public worship by non-Muslims. Converting from Islam was considered apostasy and was technically a capital offense; however, since 1971, there have been no records of prosecution for such a crime.

The Government did not permit Hindus, Buddhists, Bahai's, or members of other religions to operate as freely as Christian congregations. However, there was no official effort to prevent adherents of these faiths from practicing privately.

Individuals were not prevented from importing Bibles and other religious items for personal use. Government officials only monitor Islamic religious literature and copies of the Koran. Religious materials for use at Christmas and Easter were available readily in local shops. However, Bibles were not available in Arabic.

Islamic instruction was compulsory in public schools. While there were no restrictions on non-Muslims providing private religious instruction for children, most foreign children attended secular private schools.

There were no acts of physical violence against or harassment of Jewish persons; however, some anti-Jewish sentiments were expressed in cartoons in local Arabic newspapers.

For a more detailed discussion, see the [2004 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2004/41730.htm).

#### d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respected them in practice; however, there were some notable exceptions. There were no restrictions on internal travel, except around sensitive military and oil installations. In general, women over 30 years old did not require permission from male guardians to travel; however, men may prevent female relatives and children from leaving the country by providing their names to immigration officers at ports of departure. Technically, women employed by the Government must obtain official permission to travel abroad when requesting leave, but the extent to which this regulation was enforced was not known. The Government did not allow noncitizen custodial parents to take their children out of

the country without the permission of the citizen parent. Citizens critical of the Government sometimes faced restrictions on their right to travel abroad.

The Constitution prohibits forced exile of citizens. However, there were reports of increasing numbers of citizens whose nationality has been revoked toward the end of the reporting period. This policy created "stateless" persons. Once their nationality is revoked, these individuals automatically lose their jobs, and they and their families are no longer eligible to receive government assistance—that is, access to free education, healthcare, government loans, land, housing, and employment.

The Constitution provides that citizens have the right to return. Foreigners were subject to restrictions on entry and exit designed to control the size of the local labor force (see Sections 6.c. and 6.d.). Foreign women who are married to citizens were granted residence permits and may apply for citizenship; however, they were expected to relinquish their foreign citizenship.

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government has not established a system for providing protection to refugees. Those attempting to enter the country illegally, including persons seeking asylum from nearby countries, were refused entry. Asylum seekers who were able to obtain local sponsorship or employment were allowed to enter and may remain as long as they are sponsored.

There were no reports of the forced return of persons to a country where they feared persecution.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

During the year, the country took some steps toward more democratic governance by enacting some of the changes called for in the new Constitution, and the legal and institutional environment was evolving; however, citizens do not have the right to peacefully change their government. The new Constitution provides for a more democratic political system, hereditary rule by the Emir's branch of the Al-Thani family, and legislative authority to be vested in normal circumstances in an Advisory Council with 30 elected members and 15 members appointed by the Emir. National elections for the 30 seats are expected to be announced in 2005, to be followed by the holding of elections in late 2005 or early 2006. The influence of Bedouin tribal traditions was still strong, and the Government did not permit political parties or organized opposition groups.

The Emir exercises most executive powers, including appointment of cabinet members. In 2003, citizens elected all 29 members of the Central Municipal Council, a nonpartisan body that addresses local issues such as street repair, green space, trash collection, and public works projects. Its role is to advise the Minister of Municipal Affairs and Agriculture. The Council does not have the authority to change policy. The elections were generally regarded as free and fair, although only 30 percent of eligible voters participated.

Influence of traditional attitudes and roles continued to limit women's participation in politics; however, there are currently a number of women serving in public office: Sheikha bint Ahmed al-Mahmud as Minister for Education and Teaching; Sheikha Aisha bint Khalifa Al-Thani, member of the ruling family, is president of the Election Committee; and Sheikha Ghalia bint Mohammad bin Hamad Al-Thani, also a member of the ruling family, is Deputy Chairperson of the National Human Rights Commission. There was also one woman serving on the Central Municipal Council. A woman is the President of the University of Qatar. The Emir's sister is Vice President of the Supreme Council of Family Affairs and also has the rank of Minister.

The Government did not deny access to information but most was not readily available, particularly statistical data. The Government publishes all of its laws in the official gazette; however, it had not developed sufficient resources to facilitate the publication or access to economic statistics, demographical data, or draft legislation being analyzed or considered by the government or Advisory Council. Government officials shared draft legislation with select industry representatives for comment, but this information was not open to all companies or interested parties. The Ministry of Economy and Commerce and Qatar Central Bank provided published materials on laws and procedures for the public, but these efforts were not consistent throughout the Government. Individuals and private institutions can request this information from the ministries and the Planning Council.

The lack of transparency in government procurement was an issue of concern. Some companies expressed concerns about government procurement, particularly the lack of clarity in the conditions and criteria of the tender, proper notification or explanation for companies that did or did not qualify for tenders, and the inability to challenge awards.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Law No. 18 enacted in November provides for the right to form private independent societies and associations; however, currently there were no independent human rights groups that exist in the country. The NHRC comprised of members of both government ministries and civil society was established by governmental decree in May to investigate and improve local human rights conditions. The NHRC held numerous training workshops for government officials. Participants included those from the Ministry of Interior, Ministry of Defense, State Security Organization, Public Prosecution and the Courts. The NHRC also successfully managed to help three Arab expatriates to be released from jail. During the year, AI twice visited the country to investigate conditions in the country.

### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination in the workplace; however, institutional, cultural, and legal discrimination based on gender, national origin, and social status existed.

## Women

The official interpretation of Shari'a prohibits all forms of physical abuse. According to a local quasi-governmental organization on family issues, domestic violence against women occurred, but was not widespread. During the year, there were no publicized arrests or convictions for domestic violence. The maximum penalty for rape was death. Shari'a provides no punishment for spousal rape.

Some employers mistreated foreign domestic servants, especially those from South Asia and the Philippines (see Section 6.e.). Foreign embassies provided temporary shelter for 48 hours to their nationals who left their employers as a result of abuse or disputes before transferring the case to local government officials. According to source country embassies, the majority of cases were resolved amicably within 48 hours. Those not resolved within 48 hours were transferred to the Criminal Evidence and Investigation Department (CEID) of the Ministry of Interior for a maximum of seven days. Cases not resolved within 7 days were transferred to the court. According to the Indonesian Embassy, 669 housemaids reported mistreatment by their employers during the year. Complaints included sexual harassment, physical torture, overwork, imprisonment, and maltreatment. Abused domestic servants usually did not press charges for fear of losing their jobs.

The legal system allows leniency for a man found guilty of committing a "crime of honor," or a violent assault against a woman for perceived immodesty or defiant behavior; however, such honor killings are rare and none occurred during the year.

Traditions and the interpretation of Shari'a law restricted the activities of women. The Government adhered to an interpretation of Shari'a that recognizes that Muslims have the automatic right to inherit from their Muslim spouses; however, non-Muslim spouses (invariably wives, since Muslim women cannot legally marry non-Muslims) do not inherit unless their spouse formally wills them a portion (up to one third of the total) of their estates. A Muslim husband does not automatically inherit the property of a non-Muslim wife. Muslim wives have the right to inherit from their husbands; however, they inherit only one-half as much as male relatives. In cases of divorce, young children usually remain with the mother, regardless of her religion.

Women may attend court proceedings but generally are represented by a male relative; however, women may represent themselves if they wish. The testimony of two women equals that of one man, but the courts routinely interpret this on a case-by-case basis. A non-Muslim woman is not required to convert to Islam upon marriage to a Muslim; however, many make a personal decision to do so. A noncitizen woman is not required to become a citizen upon marriage to a citizen. Children born to a Muslim father are considered to be Muslim.

Many women serve as senior professionals in government service, education, health, and private business. Women made up 14.2 percent of the overall workforce, and 26 percent of the local national workforce, including as university professors, public school teachers, and police. Women appeared to receive equal pay for equal work; however, they often did not receive equal allowances, which generally covered transportation and housing costs.

Although women above 30 years of age legally were able to travel abroad alone (see Section 2.d.), tradition and social pressures caused most women to travel with male escorts.

With the enactment of Law No. 12 in November, women have the right to form independent women's rights organizations. Prior to and since the enactment of this law, the Supreme Council for Family Affairs sought to improve the status of women and the family under both civil and Islamic law. The Council contributed to a number of national and international conferences, studies, and reports on the status of women in the country. The Council established five organizations that deal with women and children issues: The Women and Children Protection Committee, the Family Consulting Center, the Motherhood and Childhood Cultural Center, the Orphans Care Center, and the Qatar Society for Senior Citizens Care. The Children and Women Protection Committee handled more than 100 cases involving children, education, health, nationality, abuse, and custody. The Committee was successful in resolving 90 percent of these cases.

## Children

The Government is committed to the welfare of citizen children. The Government provided for a well-funded, free public education system (elementary through university) and a complete medical protection program. Education was compulsory for citizens (both boys and girls) through the age of 15. Education through primary school (the equivalent of ninth grade) was compulsory and free for all citizen children and for noncitizen children whose parents worked in the government sector. Medical coverage for noncitizen children was limited. The lack of primary educational and medical services to non-citizen children caused hardship for a substantial part of the expatriate population living in the country.

There was no societal pattern of abuse of children, apart from the trafficked, juvenile camel jockeys (see Section 5, Trafficking).

The Women and Children Protection Committee of the Supreme Council for Family Affairs maintained a children's hotline called the Friendly Line for use by children. The system allowed both citizen and noncitizen children to call with questions and concerns ranging from school, health, and psychological problems to concerns about sexual harassment.

## Trafficking in Persons

The law prohibits trafficking for persons; however, men and women were trafficked into situations of coerced labor, and male children were trafficked into the country to serve as jockeys in the camel races. In December, the Cabinet approved measures to ban the use of children as camel jockeys.



More than 100 children aged 4 to 15, mostly of Sudanese origin, were used as jockeys in camel races. Guardians and handlers, who often claimed to be parents, brought the children into the country and supervised their training. The boys lived in harsh conditions. They did not receive proper education, medical care, and supervision. A visit to a camel jockey compound found young, sickly, overworked and malnourished Sudanese boys. Contact between the boys and their guardian was infrequent, if at all. The boys subsisted on a substandard diet. They were made to work very long hours and trained on a daily basis to become riders.

The country also was a destination for women and girls who traveled to the country to work as domestic servants. Some reported being forced into domestic servitude and sexual exploitation.

In January, the Cabinet established the Trafficking in Persons (TIP) Implementation Committee, which was charged with implementing specific anti-trafficking reforms. It sponsored training for judges and their deputies on prosecution of trafficking-related offenses. It monitored immigration patterns for evidence of trafficking. The Government provided assistance to domestics who have suffered from abuse and provided shelter for them in deportation centers. It ran a 24-hour hotline to advise women and children in abusive situations.

#### Persons with Disabilities

Law No. 2, enacted in March, requires the allocation of resources for persons with disabilities and prohibits the discrimination against persons with disabilities. Among some of the rights and provisions mandated for persons with disabilities are: Rehabilitation, education, transportation, medical and social care, support services, access to public facilities, and employment. In the case of the latter, the law requires that 2 percent of all jobs in government agencies and public institutions be set aside for persons with disabilities. Also, private sector businesses employing a minimum of 25 persons were also required to hire persons with disabilities. Further, those caught violating these employment provisions were subject to fines. The Supreme Council for Family Affairs is charged with ensuring compliance with the rights and provisions mandated under Law No. 2.

#### National/Racial/Ethnic Minorities

The Government discriminated based on nationality in the areas of employment, education, housing, and health services. Noncitizens did not receive the same benefits as citizens. They were required to pay for health care, electricity, water, and education (services that were provided free of charge to citizens). Noncitizens generally cannot own property; however, Law 17, enacted in June, regulates the right of usufruct and allows for ownership of property in only two designated areas. The largest nationality groups among noncitizens were Indian, Pakistani, and Iranian nationals, and Arab nationals of other countries. In the private sector, many citizens of Iranian origin occupied some of the highest positions.

#### Section 6 Worker Rights

##### a. The Right of Association

During the year, the law prohibited all workers from forming labor unions. However, the law provided for the establishment of joint consultative committees composed of representatives of the employer and workers. The committees did not discuss wages but considered issues such as organization, productivity, conditions of employment, training of workers, and safety measures and their implementation. A new labor law, to be enacted in January 2005, provides a limited right of association, but only for citizens. Those working in the government sector are prohibited from joining unions. Further, the new law permits only a single national trade union structure.

The International Labor Organization (ILO) at a Gulf Cooperation Council Labor Ministers' meeting in Doha in November 2003 signed a protocol with GCC countries on cooperation to assist with upgrading training facilities and developing methods to address employment problems. Since the signing of the protocol, the GCC countries have been working together to adopt ILO standards.

##### b. The Right to Organize and Bargain Collectively

Collective bargaining was prohibited. Employers set wages unilaterally without government involvement. Local courts handled disputes between workers and employers; however, foreign workers avoided drawing attention to problems with their employers for fear of repatriation.

Although the law does not provide workers with the right to strike, some workers staged strikes as a means of seeking redress and improvement in their work situation from employers. In September, approximately 200 Asian workers of a construction company staged a 4-day strike to protest poor conditions in their labor camps. The dispute was resolved following an agreement reached between management and workers in the presence of embassy officials and Labor Department officials.

According to source country embassies and some migrant workers, the Labor Department was widely perceived to be objective within a narrow mandate when dealing with the nonpayment of wages and poor living conditions. The Labor Department claimed that it resolved the vast majority of worker complaints amicably, with a very small percentage referred to the courts for judgment. In the absence of labor unions, the Department did not consider wage levels.

In the new labor law, workers are granted the right to collective bargaining and signing joint agreements; however, that right is circumscribed by the Government's control over the rules and procedures of the bargaining and agreement processes. The new law also grants workers the right to strike; however, the conditions imposed by the statute not only restrict that right in effect, but also make the likelihood of striking extremely unlikely. Further, government employees, domestic servants, and those in the

public utility, health, and security services are prohibited from striking.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Penalty Law, enacted in June, prohibits forced or compulsory labor, including by children; however, foreign workers in some cases were employed under circumstances that constituted forced labor. More than three-quarters of the workforce were foreign workers who, dependent on a single employer for residency rights, were vulnerable to abuse. For example, employers must give consent before exit permits are issued to any foreign employee seeking to leave the country. Some employers temporarily withheld this consent to force foreign employees to work for longer periods than they wished. Unskilled workers and domestic servants were particularly vulnerable to nonpayment or late payment of wages.

d. Prohibition of Child Labor and Minimum Age for Employment

During the year, the law in effect provided that minors between the ages of 15 and 18 could be employed with parental or guardian permission, and some children worked in small, family-owned businesses; however, some child labor occurred. Minors may not work more than 6 hours a day or more than 36 hours a week. Employers must provide the Labor Department with the names and occupations of their minor employees and obtain permission from the Ministry of Education to hire a minor. The Department may prohibit the employment of minors in jobs that are judged dangerous to the health, safety, or morals of minors. Very young children, usually of African background, were employed as jockeys in camel races (see Section 5, Trafficking).

The law prohibits forced and compulsory labor by children, and the Government generally enforced this prohibition only with respect to citizen children (see Section 6.c.). The new labor law raised the minimum age for employment to 16 years.

e. Acceptable Conditions of Work

Although the law provides the Emir with authority to set one, there was no minimum wage. The average wage of non-citizen workers did not provide a decent standard of living for a worker and family. According to Planning Council statistics, the average monthly wage in 2001 was \$795 (2,902 riyals). The law prescribes a 48-hour workweek with a 24-hour rest period, although most government offices followed a 36-hour workweek. Employees who worked more than 48-hours per week, or 36-hours per week during the holy month of Ramadan, were entitled to overtime pay. Government offices and major private sector companies adhered to this law; however, it was not observed with respect to unskilled laborers and domestic and personal employees, the majority of whom were foreigners. Many such workers frequently worked 7 days per week, and more than 12 hours per day with few or no holidays, no overtime pay, and no effective way to redress grievances.

The Government has enacted regulations regarding worker safety, but enforcement, which is the responsibilities of the Ministry of Energy and Industry, the Ministry of Health, and the Labor Department, was lax due to insufficient training and lack of personnel. Diplomatic representatives conducted visits to four labor camps and found the majority of unskilled foreign laborers living in cramped, dirty, and hazardous conditions, often without running water or electricity. A visit to a camp adjacent to a paper factory where five workers had died after exposure to toxic gases found the workers, 4 days later, still being exposed to the same poisonous gases.

The Department of Public Safety oversaw safety training and conditions, and the state-run petroleum company had its own safety standards and procedures. The regulations listed partial and permanent disabilities for which compensation may be awarded, some connected with handling chemicals and petroleum products or construction injuries. The law does not specifically set rates of payment and compensation. The Government provided free medical treatment to workers who suffered work-related sickness or injuries. The law does not provide workers specifically the right to remove themselves from hazardous work conditions, and workers often hesitated to do so for fear of dismissal. The law provides any worker with the right to seek legal relief from onerous work conditions; however, domestic servants generally did not pursue such relief in order to avoid repatriation.

Foreign workers may enter the country on a visitor's visa, but a sponsor is needed to convert a visitor's visa to a work visa, and the worker must have a sponsor's permission to depart the country. The Government also fined individual sponsors and employers who severely violated residence and sponsorship laws by prohibiting them from importing labor until they rectified the situation. During the year, the Government announced a labor amnesty as an incentive for sponsors, employers, and laborers to rectify their legal status dispute, without paying fines. Employers mistreated some foreign domestic servants. Such mistreatment generally involved the nonpayment or late payment of wages; in some cases, it involved rape and physical abuse.